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Dkt. 1274/62620/PJP

#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Tania C. Sorrell et al.  
Serial No. : 10/081,838  
Filed : February 21, 2002  
For : MAGNETIC RESONANCE SPECTROSCOPY TO IDENTIFY  
AND CLASSIFY MICROORGANISMS

1185 AVENUE OF THE AMERICAS  
NEW YORK, NEW YORK 10036  
May 28, 2002

Commissioner of Patents & Trademarks  
Washington, D.C. 20231

SIR:

**COMMUNICATION IN RESPONSE TO NOTICE TO  
FILE MISSING PARTS OF APPLICATION**

In response to a Notice to File Missing Parts of Application under C.F.R. § 1.53(d) (Exhibit A) and in compliance with 37 C.F.R. § 1.63, applicant files herewith an original Declaration and Power of Attorney (Exhibit B). The Declaration refers to the application's above-identified serial number and filing date. In accordance with the March 25, 2002 Notice, the deadline for submitting the Declaration was May 25, 2002. Because May 25, 2002 fell on a Saturday and May 28, 2002 is the first day thereafter which is not a Saturday, Sunday or holiday, this response is timely filed.

The Notice states that the application was filed without an Abstract. In response to the Notice, applicants enclose herewith

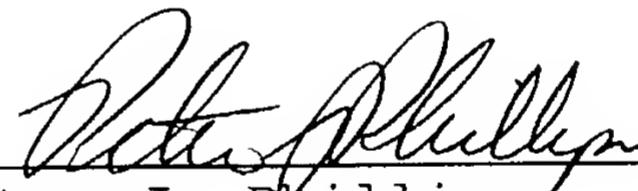
Applicants : Tania C. Sorrell  
Serial No. : 10/081,838  
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Page 2

(as Exhibit C) a copy of the Abstract which is on page 54 of the application.

In response to the Notice, a payment of \$65.00 is enclosed to cover the surcharge for a small entity.

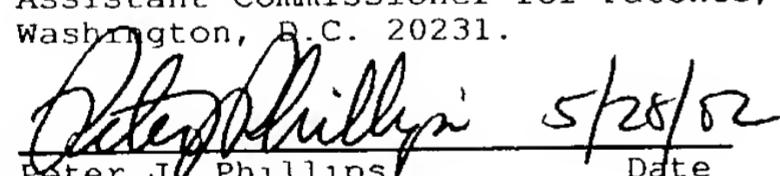
A check in the amount of \$65.00 to cover the surcharge is enclosed. No additional fee is deemed necessary in connection with this Communication. In the event that any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



Peter J. Phillips  
Registration No. 29,691  
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I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents,  
Washington, D.C. 20231.

  
Peter J. Phillips Date

Reg. No. 29,691

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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D C 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/081,838	02/21/2002	Tania C Sorrell	62620/PJP



Cooper & Dunham LLP  
 1185 Avenue of the Americas  
 New York, NY 10036

**CONFIRMATION NO. 4331**  
**FORMALITIES LETTER**



\*OC00000007704243\*

Date Mailed: 03/25/2002

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION****FILED UNDER 37 CFR 1.53(b)*****Filing Date Granted***

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- An abstract was not provided for this application. An abstract of the technical disclosure is required under 37 CFR 1.72(b).

06/11/2002 HDEMESS1 00000034 10081838

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65.00 UP

***A copy of this notice MUST be returned with the reply.***

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE